

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS : Consolidated Under MDL 875
LIABILITY LITIGATION (No. VI) : *04-3830*
 : *04-4520*
VARIOUS PLAINTIFFS :
 :
v. : Eastern District of
 : Pennsylvania Cases
VARIOUS DEFENDANTS :
 :
 :
 :

O R D E R

**RULE TO SHOW CAUSE HEARING AND/OR STATUS AND SCHEDULING
CONFERENCE FOR CASES ORIGINALLY FILED IN THE EASTERN DISTRICT OF
PENNSYLVANIA**

FILED
DEC - 6 2010
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

AND NOW, this **1st** day of **December, 2010**, it is hereby
ORDERED that the cases listed in Exhibit "A," attached, are taken
out of suspense and returned to the active docket.

It is further **ORDERED** that a status and scheduling
conference will be held in the cases listed in Exhibit "A,"
attached, on **Wednesday, January 19th at 10:00am** in Courtroom 11A,
United States Courthouse, 601 Market Street, Philadelphia, PA
19106. Prior to the conference, counsel shall review and
ascertain the status of each case.

It is further **ORDERED** that failure to appear at the hearing
and/or conference shall result in the dismissal of the case.

It is further **ORDERED** that counsel for each plaintiff
appearing at the conference shall be prepared to provide the

following information to the court:

- a.) Each defendant with whom plaintiff has achieved resolution of his or her claim.
- b.) Each defendant that plaintiff now desires to dismiss from the action.
- c.) Each defendant that is currently in bankruptcy with a claim pending.
- d.) Each unsettled defendant not in bankruptcy ("unsettled defendants").

It is further **ORDERED** that, as to all unsettled defendants, counsel for the plaintiff and defendant in each case shall be prepared to report to the court:¹

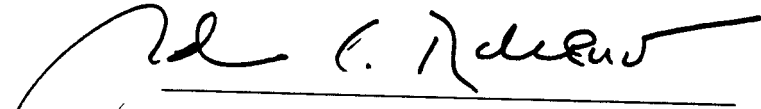
- a.) Status of compliance with Administrative Orders no. 12, 12 as amended, and 14.
- b.) Any outstanding discovery.
- c.) Any discovery that is still needed and a timetable for its completion.
- d.) Whether the plaintiff has obtained a medical diagnosing report or opinion upon which the plaintiff now relies for prosecuting his or her claim, if so, counsel shall provide the name and address of the physician or medical provider who has supplied the diagnosing report or opinion.
- e.) Any motions pending.

¹ A written report for submission to the court is not necessary, however, counsel must be prepared to provide this information to the court promptly when the case is called.

f.) Readiness for trial and a proposed trial date.²

It is further **ORDERED** that, prior to the hearing, Plaintiffs' counsel may submit a letter to the court with a list of cases which may be dismissed with prejudice or dismissed as to the viable defendants and moved to the bankruptcy only docket. The letter should include the E.D. Pa case number, the name of the plaintiff(s), and whether the case should be dismissed with prejudice or dismissed as to the viable defendants and moved to the bankruptcy only docket. Those cases will be removed from the list, and appropriate orders will be entered.

AND IT IS SO ORDERED



EDUARDO C. ROBRENO, J.

²Given the ages of many of these cases, the court will order presumptively that any outstanding discovery be completed within 90 days and that the parties be ready for trial within 120 days from the date of the hearing.

Exhibit A

Depoy v. Penn Central Corporation	04-3830
Sallet v. CSX Transportation	04-4520
Parham v. Raymark Industries	87-6349
Daraio v. Carey Canada, Inc.	89-8037
Perry v. A.W. Chesteron	95-1996